

File # FOIA

## House Votes to Exempt Certain CIA Files From Disclosure Under Information Act

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WASHINGTON—The House voted to exempt specific operational files of the Central Intelligence Agency from the general reach of the Freedom of Information Act, but a broader overhaul of the law appears dead for this year.

The House approved the CIA measure by a 369-36 vote. The Senate previously passed a similar version, and differences still must be ironed out between the two versions.

The demise of the broader measure is a setback for businesses seeking additional protection from government disclosure of information they submit to various agencies and for the Justice Department, which had hoped to better insulate certain criminal investigation files from disclosure.

The Freedom of Information Act requires the government to disclose, on request, information in its files unless the information is specifically exempted from release—as are business trade secrets and classified data.

The change in the act is supported by an unusual coalition that includes the CIA, the Reagan administration and the American Civil Liberties Union, a frequent CIA critic. Sponsors said the bill wouldn't reduce disclosure, but would cut administrative burdens on the CIA to review requested documents that it routinely withholds on certain agency operations.

In return, the CIA is committed to maintain its current level of resources devoted to processing FOIA requests. The measure's supporters hope that will substantially reduce the agency's current backlog of more than two years.

"This will restore the usefulness of the FOIA without any meaningful limitations on the amount of information that will be released," Rep. Glenn English (D., Okla.), chairman of the House government information subcommittee, said during an earlier debate on the measure.

The measure wouldn't exempt the CIA from searching and reviewing its files for information that could be released on matters such as intelligence reports, policy, declassified covert operations, improper agency activity and U.S. legal residents seeking agency files on themselves.

Parties interested in a broader overhaul of the information act said that a failure to reach a compromise appears to have doomed that legislation for this session.

The Senate approved last Feb. 27 a broad information act, a bill backed by the Justice Department and companies that submit business data to the government. But Rep. English, whose subcommittee had jurisdiction over the measure in the House, showed little interest in making far-reaching changes in the law. He tried to craft a narrower bill, but opposition from newspapers and self-styled public interest groups effectively blocked the legislation.

The Senate bill would have enabled companies that submit business information to identify data that they believed to be exempt from disclosure. It also would have re-

quired federal agencies to notify the companies before disclosing such information so that they could object or sue to block the release. The Senate measure also would have expanded the definition of exempt materials.

Richard Schmidt, general counsel of the American Society of Newspaper Editors, said press groups worried that the procedures would have unduly expanded exemptions and extended administrative delays in processing information act requests.

The Senate bill also would have allowed the attorney general to bar access under the information act to specific files on organized crime investigations for five years and would have tightened restrictions on disclosures that could identify informants.